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USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: NOV 08 2012  
DATE FILED: NOV 08 2012

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November 5, 2012

**BY FACSIMILE |(212) 805-0426|**

The Honorable Laura Taylor Swain  
United States District Judge  
Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

**MEMO ENDORSED**

Re: United States v. Daniel Valdez,  
S12 10 Cr. 905 (LTS)

Dear Judge Swain:

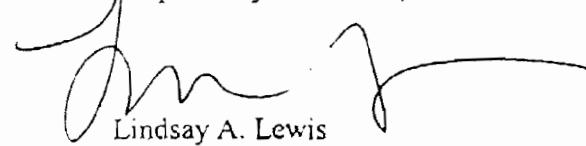
This letter is submitted on behalf of Daniel Valdez, whom Joshua L. Dratel, Esq., represents by CJA appointment in the above-entitled matter, in regard to Mr. Valdez's sentencing, currently scheduled for November 14, 2012. Mr. Dratel will not be available for sentencing on the appointed date because he is out of the country for a two-week period, beginning today, to conduct Rule 15 depositions in *United States v. Basaaly Moalin*, 10 Cr. 4246 (JM). Mr. Dratel intended to inform the Court of this scheduling conflict prior to his departure, and to provide the Court with possible dates that would work for both parties, but we did not hear back from the government until today, and the hurricane otherwise prevented Mr. Dratel from contacting the Court. It is respectfully requested that the Court adjourn Mr. Valdez's sentencing until January 21<sup>st</sup> or January 22, 2012, dates which Assistant United States Attorney Amie Ely informed me may be available to the Court based on a conversation with chambers on this matter that took place earlier today, and which are also available to the government. In addition, the government consents to this request.

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Hon. Laura Taylor Swain  
United States District Judge  
Southern District of New York  
November 5, 2012  
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Accordingly, it is respectfully requested that the Court adjourn Mr. Valdez's sentencing until January 21<sup>st</sup> or January 22, 2012, at a time convenient for the Court.

Respectfully Submitted,



Lindsay A. Lewis

JLD/lal

cc: Assistant United States Attorney Amie N. Ely (by facsimile)

The sentencing is adjourned  
to January 22, 2013, at  
12:30 PM.

SO ORDERED.

NEW YORK, NY



Laura Taylor Swain  
NOV 8 2012  
SOUTHERN DISTRICT JUDGE